

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC.,

Plaintiff,

V.

ELITE BOSS TECH, INC., et al.,

## Defendants.

CASE NO. 2:21-cv-01112-TL

## ORDER

This matter is before the Court *sua sponte*. On September 20, 2023, Plaintiff Bungie, Inc.,  
notice of voluntary dismissal of all Doe defendants. *See* Dkt. No. 89. On the same day,  
ff filed a status report. *See* Dkt. No. 90. Plaintiff states that it “will proceed against the  
ning named defendants, all of whom are believed to reside outside of the United States.” *Id.*  
plaintiff further states that “[i]nvestigative efforts to obtain addresses” for those defendants  
going” and “[s]ignificant progress has been made,” but that it “is taking considerable time  
fort” to obtain the addresses. *Id.* at 1–2.

While a plaintiff must generally serve a defendant within 90 days of filing a complaint, that time limit does not apply to service on a foreign defendant. *See Fed. R. Civ. P. 4(m)* (exempting “service in a foreign country” from the 90-day deadline); *Lucas v. Natoli*, 936 F.2d 432, 432 (9th Cir. 1991) (per curiam) (holding the same). But a plaintiff does not have “an unlimited time” for service of process in a foreign country, and the Court may set a reasonable time limit to accomplish such service. *See, e.g., Inst. of Cetacean Rsch. v. Sea Shepherd Conservation Soc’y*, 153 F. Supp. 3d 1291, 1320 (W.D. Wash. 2015) (expressing concerns about failure to serve foreign party and setting a deadline for such service).

On May 25, 2023, Plaintiff requested that any deadline for service “not be until at least the end of the year, as it may take that long for Hague Convention service.” Dkt. No. 82 at 6; *see Fed. R. Civ. P. 4(f)(1)* (authorizing service “by any internationally agreed means of service that is reasonably calculated to give notice”); *Volkswagenwerk Aktiengesellschaft v. Schlunk*, 486 U.S. 694, 699 (1988) (holding Hague Convention mandatory in all cases to which it applies).

Accordingly, Plaintiff is ORDERED to file a status report detailing its efforts at service or, if appropriate, a motion for alternative service **by January 31, 2024**.

Dated this 21st day of September 2023.

Tana Lin  
Tana Lin  
United States District Judge